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PTO/SB/50 (02-01)  
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17513 U.S. PTO  
101776035  
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## REISSUE PATENT APPLICATION TRANSMITTAL

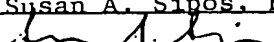
|   |  |                 |
|---|--|-----------------|
| <b>Address to:</b><br><br>U.S. Patent and Trademark Office<br>P.O. Box 2327<br>Arlington, Virginia 22202<br>Box Reissue | <b>Attorney Docket No.</b>                             | 1001-13 RES     |
|   | <b>First Named Inventor</b>                            | Pacifico et al. |
|   | <b>Original Patent Number</b>                          | 6,251,478 B1    |
|   | <b>Original Patent Issue Date<br/>(Month/Day/Year)</b> | June 26, 2001   |
|   | <b>Express Mail Label No.</b>                          | EL 709116172 US |

**APPLICATION FOR REISSUE OF:** ☒ **Utility Patent** ☐ **Design Patent** ☐ **Plant Patent**  
(Check applicable box)

| APPLICATION ELEMENTS (37 CFR 1.173)   | ACCOMPANYING APPLICATION PARTS   |
|---|--|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (PTO/SB/56)<br>(Submit an original, and a duplicate for fee processing)               | 10. <input checked="" type="checkbox"/> Statement of status and support for all changes to the claims. See 37 CFR 1.173 (c).   |
| 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.  | 11. <input type="checkbox"/> Original U.S. Patent for surrender<br><input type="checkbox"/> Ribboned Original Patent Grant<br><input type="checkbox"/> Statement of Loss (PTO/SB/55) |
| 3. <input checked="" type="checkbox"/> Specification and Claims in double column copy of patent format (amended, if appropriate)                  | 12. <input type="checkbox"/> Foreign Priority Claim (35 U.S.C. 119) (if applicable)  |
| 4. <input type="checkbox"/> Drawing(s) (proposed amendments, if appropriate)  | 13. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations  |
| 5. <input type="checkbox"/> Reissue Oath/Declaration (original or copy) (37 C.F.R. § 1.175) (PTO/SB/51 or 52)                                     | 14. <input type="checkbox"/> English Translation of Reissue Oath/Declaration (if applicable)   |
| 6. <input type="checkbox"/> Power of Attorney   | 15. <input checked="" type="checkbox"/> Preliminary Amendment  |
| 7. Original U.S. Patent currently assigned? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>(If Yes, check applicable box(es))        | 16. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)   |
| <input checked="" type="checkbox"/> Written Consent of all Assignees (PTO/SB/53)  | 17. Other: .....   |
| <input checked="" type="checkbox"/> 37 C.F.R. § 3.73(b) Statement (PTO/SB/96)   | .....  |
| 8. <input type="checkbox"/> CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table   | .....  |
| 9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all of the following are necessary)   |  |
| a. <input type="checkbox"/> Computer Readable Form (CFR)  |  |
| b. Specification Sequence Listing on:<br>i <input type="checkbox"/> CD-ROM (2 copies) or CD-R (2 copies); or<br>ii <input type="checkbox"/> paper |  |
| c. <input type="checkbox"/> Statements verifying identity of above copies   |  |

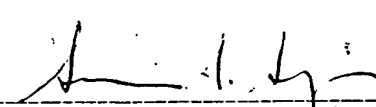
### 18. CORRESPONDENCE ADDRESS

|  |                          |                  |              |  |              |
|--|--------------------------|------------------|--------------|--|--------------|
| <input type="checkbox"/> Customer Number or Bar Code Label |                          |                  |              | or <input type="checkbox"/> Correspondence address below |              |
| (Insert Customer No. or Attach bar code label here)        |                          |                  |              |  |              |
| <b>Name</b>  | HOFFMANN & BARON, L.L.P. |                  |              |  |              |
| <b>Address</b>   | 6900 Jericho Turnpike    |                  |              |  |              |
| <b>City</b>  | Syosset                  | <b>State</b>     | New York     | <b>Zip Code</b>  | 11791        |
| <b>Country</b>   | U.S.A.                   | <b>Telephone</b> | 516-822-3550 | <b>Fax</b>   | 516-822-3582 |

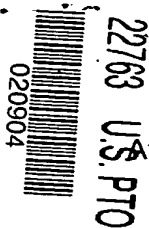
|                          |   |  |          |
|--------------------------|---|--|----------|
| <b>NAME</b> (Print Type) | Susan A. Sipos, Esq.  | <b>Registration No. (Attorney/Agent)</b> | 43,128   |
| <b>Signature</b>         |  | <b>Date</b>                              | 11-29-01 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Reissue, Washington, DC 20231.

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| REISSUE APPLICATION FEE TRANSMITTAL FORM  |   |                                     |   |   |              | Docket Number (Optional)<br>1001-13 RES |                           |     |
|---|---|-------------------------------------|---|---|--------------|---|---------------------------|-----|
| Claims as Filed - Part 1  |   |                                     |   |   |              |   |                           |     |
| Claims in Patent  |   | Number Filed in Reissue Application | (3)<br>Number Extra                       | Small Entity  |              | Other than a Small Entity               |                           |     |
|   |   |                                     |   | Rate  | Fee          | Rate                                    | Fee                       |     |
| (A) 20  | Total Claims<br>(37 CFR 1.16(i))<br>Independent claims<br>(37 CFR 1.16(ii)) | (B) 34                              | **** 14 =                                 | x \$ _____ =  | or           | x \$18 =                                | 252.00                    |     |
| (C) 1   |   | (D) 2                               | 0 =                                       | x \$ _____ =  |              | x \$ 84 =                               | 84.00                     |     |
| Basic Fee (37 CFR 1.16(h))  |   |                                     |   |   | \$ _____     | \$740.00                                |                           |     |
| Total Filing Fee  |   |                                     |   |   | \$ _____     | OR \$1076.00                            |                           |     |
| Claims as Amended - Part 2  |   |                                     |   |   |              |   |                           |     |
|   | (1)<br>Claims Remaining After Amendment                                     |                                     | (2)<br>Highest Number Previously Paid For | (3)<br>Extra Claims Present   | Small Entity |   | Other than a Small Entity |     |
|   |   |                                     |   |   | Rate         | Fee                                     | Rate                      | Fee |
| Total Claims<br>(37 CFR 1.16(i))  | ***   | MINUS                               | **  | =   | x \$ _____ = |   | x \$ _____ =              |     |
| Independent Claims (37 CFR 1.16(ii))  | ***   | MINUS                               | *****                                     | =   | x \$ _____ = |   | x \$ _____ =              |     |
| Total Additional Fee  |   |                                     |   |   | \$ _____     | OR \$ _____                             |                           |     |
| <p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims.</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____.<br/>A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. _____.<br/>A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of \$ _____ to cover the filing / additional fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p style="text-align: center;"><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> |   |                                     |   |   |              |   |                           |     |
| <u>11-29-01</u><br>Date   |   |                                     |   | <br>Signature of Applicant, Attorney or Agent of Record<br><u>Susan A. Sipos, Esq.</u><br>Typed or printed name |              |   |                           |     |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Attorney's Docket No. 1001-13 RES/DIV

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Mail Stop Reissue**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NONPROVISIONAL PATENT APPLICATION TRANSMITTAL**

Sir:

Transmitted herewith for filing is the patent application of:

First Named Inventor (or Inventors):

**Pacifico et al.**

Title of Application:

**SENSITIVE SUBSTANCE ENCAPSULATION**

**1. Type of Application (37 C.F.R. 1.53(b))**

This application is a(n):

- ☐ Original (nonprovisional) application.  
☒ Continuing application:  
☒ Divisional ☐ Continuation ☐ Continuation-in-Part (CIP)

of Serial No. 09/996,636, filed on November 29, 2001.

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**CERTIFICATION UNDER 37 C.F.R. 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, February 9, 2004, in an envelope as "Express Mail to Addressee" Mailing Label Number EL 886460269 US, addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Susan A. Sipos

Name of person mailing paper

  
Signature of person mailing paper

(Application Transmittal Page 1 of 6)

**Fee Calculation (37 C.F.R. 1.16)**

Utility Application (37 C.F.R. 1.16(a))

Basic Fee \$740.00

**FEES FOR CLAIMS AS FILED**

| Number filed                                     | Number extra |      | Rate |             |             |
|--|--------------|------|------|-------------|-------------|
| Total Claims<br>(37 C.F.R. 1.16 (c))             | 28           | - 20 | = 8  | x \$ 18.00  | = \$ 144.00 |
| Independent Claims<br>(37 C.F.R. 1.16(b))        | 4            | - 3  | = 1  | x \$ 84.00  | = \$ 84.00  |
| Multiple Dependent Claims<br>(37 C.F.R. 1.16(d)) |              |      |      | + \$ 280.00 | = \$        |

Fee Calculation for Extra Claims \$ 228.00

- ☐ Amendment canceling extra claims enclosed.
- ☐ Amendment deleting multiple-dependencies enclosed.

Total Filing Fee Calculation \$ 968.00

**10. Small Entity Statement**

- ☒ Small entity status is claimed under 37 C.F.R. 1.27.

Filing Fee Calculation (50% of Filing Fee calculated in Item 9 above) \$ \_\_\_\_\_

**11. Fee Payment**

- ☒ Not enclosed. No filing fee is to be paid at this time.
- ☐ Enclosed:

- ☐ Basic filing fee (Item 9 or 10 above) \$ \_\_\_\_\_
- ☐ Fee for recording Assignment  
\$40.00 (37 C.F.R. 1.21(h)) \$ \_\_\_\_\_
- ☐ Processing and retention fee  
\$130.00 (37 C.F.R. 1.53(d) and 1.21(l)) \$ \_\_\_\_\_

Total fees enclosed \$ 0.00

**2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)**

- ☐ This new application claims the benefit of prior U.S. application(s).
- ☐ Please amend the specification by inserting, after the title, the following:
- ☐ "This application claims the benefit of U.S. Provisional Application No. \_\_\_\_\_, filed on \_\_\_\_\_."
- ☐ "This application is a  
☐ continuation  
☐ continuation-in-part  
☐ divisional  
of copending application  
☐ Serial No. \_\_\_\_\_, filed on \_\_\_\_\_."  
☐ International Application No. \_\_\_\_\_, filed on \_\_\_\_\_, and which  
designated the U.S."
- ☒ A Preliminary Amendment is enclosed amending this application to state the  
relation of this application to prior applications.
- ☐ The relation of this application to prior applications is stated in the application.

**3. 35 U.S.C. 119(a)-(d) or 35 U.S.C. 365(a)-(b) Foreign Priority Claim for Prior Application**

This application, and prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 2, claim(s) priority from one or more foreign applications as follows:

| (Country) | (Application No.) | (Filing Date)<br>(mm/dd/yyyy) |
|-----------|-------------------|-------------------------------|
|           |                   |                               |
|           |                   |                               |
|           |                   |                               |
|           |                   |                               |

- ☐ Please amend the specification by inserting, after the title, the following:
- ☐ "The application claims priority from Application No. \_\_\_\_\_ filed on \_\_\_\_\_."

Certified copy(ies) of the application(s) from which priority under 35 U.S.C. 119 is claimed:

- ☐ has(have) been filed on \_\_\_\_\_, in prior application \_\_\_\_\_, which was filed on \_\_\_\_\_.
- ☐ is (are) enclosed.
- ☐ will follow.

**4. Enclosed Papers Required to Obtain Application Filing Date under 37 C.F.R. 1.53(b)**

Copy of U.S. Patent No. 6,251,478 in double-column format as required by 37 C.F.R. § 1.173(a)(1).

**5. Oath or Declaration**

- ☐ Newly executed Oath or Declaration (original or copy) is enclosed.
- ☐ Copy of Oath or Declaration from prior continuation or divisional application \_\_\_\_\_ (37 C.F.R. 1.63(d)).
  - ☐ The entire disclosure of the prior application, from which a copy of the oath or Declaration is supplied, is considered as being a part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ A Power of Attorney is included in the Oath or Declaration.
- ☐ Not enclosed.

**6. Additional Papers Enclosed**

- ☒ Return Receipt Postcard (specifically itemized) (M.P.E.P. § 503).
- ☐ Application Data Sheet (Voluntary under 37 C.F.R. 1.76).
- ☒ Preliminary Amendment.
- ☐ Information Disclosure Statement (37 C.F.R. 1.98).  
(Copy from parent application)
  - ☐ Form PTO-1449
  - ☐ Copies of IDS Citations
- ☐ Nucleotide and/or Amino Acid Sequence Listing computer-readable copy, paper copy, and statement verifying identity of computer-readable and paper copies.
- ☐ Certified Copy of Priority Document(s).
- ☐ Verified translation of non-English language application (37 C.F.R. 1.52(d)).
- ☐ Other: From parent application (United States Patent No. 09/996,636):  
Copy of Consent of Assignee to Reissue Pursuant to 37 C.F.R. §1.172(a);  
Copy of Statement Under 37 C.F.R. §3.73(b); and  
Copy of Reissue Patent Application Transmittal Form  
~~Copy of IDS and Form~~

**7. Assignment**

- ☒ An assignment of the invention to \_\_\_\_.
- ☐ is enclosed. A separate:
- ☐ "Cover Sheet for Assignment (Document) Accompanying New Patent Application" is enclosed.
- ☐ Form PTO-1595 is enclosed.
- ☒ was made in prior application No. 09/996,636, filed on November 29, 2001.
- ☐ A copy of the assignment (and any recordation cover sheet) is enclosed.
- ☒ will follow.
- ☐ Not enclosed.

**8. Request That Application Not Be Published Pursuant to 35 U.S.C. 122(b)(2)**

- ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant(s) hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

**12. Method of Payment of Fees**

- ☐ Check in the amount of \$\_\_\_\_\_.
- ☐ Charge Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_.  
A duplicate of this transmittal is enclosed.

**13. Authorization to Charge Additional Fees**

- ☐ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. \_\_\_\_\_:
- ☐ 37 C.F.R. 1.16(a), (f), or (g) (filing fees)
- ☐ 37 C.F.R. 1.16(b), (c), and (d) (presentation of extra claims)
- ☐ 37 C.F.R. 1.16(e) (surcharge for filing the basic fee and/or declaration at a date later than the filing date of the application)
- ☐ 37 C.F.R. 1.17 (application processing fees)

A duplicate of this transmittal is enclosed.

**14. Instructions as to Overpayment**

- ☐ Credit Deposit Account 08-2461. ☐ Refund.

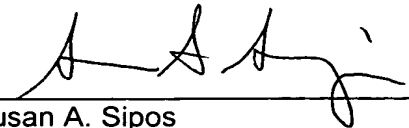
**15. Correspondence Address**

- ☒ Customer Number or Bar Code Label: 23869

Please address all correspondence to:

Ronald J. Baron, Esq.  
HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791

Telephone: 516-822-3550  
Fax: 516-822-3582

  
\_\_\_\_\_  
Susan A. Sipos  
Registration No. 43,128  
Attorney/Agent for Applicant(s)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patentees: Pacifico, et al.

Docket: 1001-13 RES

Original Patent No.: 6,251,478 B1

Date: November 21, 2001

Original Patent Issue Date: June 26, 2001

For: SENSITIVE SUBSTANCE  
ENCAPSULATION

Assistant Commissioner for Patents  
Washington, DC 20231

**CONSENT OF ASSIGNEE TO REISSUE PATENT**  
**PURSUANT TO 37 C.F.R. §1.172(a)**

Sir:

Balchem Corporation, Assignee of United States Patent No. 6,251,478 B1, consents to  
the filing of the present application for the reissue of United States Patent No. 6,251,478 B1.

Date: Nov 21, 2001

By: Patricia Siuta-Cruce

Patricia Siuta-Cruce  
Vice-President, Technology  
Balchem Corporation

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6900 Jericho Turnpike  
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